

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

THE ESTATE OF YARON UNGAR, et al.)
)
)
v.) C.A. No. 00-105L
)
THE PALESTINIAN AUTHORITY, et al.)

**DEFENDANTS' RENEWED MOTION FOR A STAY AND
MOTION FOR LEAVE TO SEEK A PROTECTIVE ORDER**

Defendants the Palestinian Authority (PA) and the Palestine Liberation Organization (PLO), the Palestinian defendants remaining in this case, renew their Motion for a Stay as set forth in their Motion for Dismissal and Alternatively for Certification of an Interlocutory Appeal and a Stay filed November 27, 2001, and further move for leave to seek a protective order with respect to recently-filed discovery requests by the plaintiffs.

The stay is sought on the general ground that the discovery is premature given the pendency of defendants' dispositive motion, particularly one raising defenses of immunity, and the difficulties presented by the distances involved, without regard to the specific defects and issues raised by the discovery sought. If a stay is not granted on the foregoing general ground, defendants request that they be granted additional time to seek a protective order or otherwise join issue with regard to the specifics of the discovery sought.

Defendants' counsel has conferred with plaintiffs' counsel regarding the subject of this Motion and they have been unable to agree about a stay of proceedings.

A proposed form of Order is attached hereto as Exhibit A.

Copies of the First Set of Interrogatories, First Request for Production of Documents, and

First Set of Requests for Admissions are attached hereto as Exhibits B, C, and D. Deposition notices were filed with the Court.

A Memorandum in support of this Motion is filed herewith.

Dated: February 5, 2002

Deming E. Sherman

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The PLO

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of February, 2002, I mailed a copy of the within Defendants' Renewed Motion for a Stay, etc. by first class mail, postage prepaid, to David J. Strachman, Esq., McIntyre, Tate, Lynch & Holt, Suite 400, 321 South Main Street, Providence, RI 02903 and Nitsana Darshan-Leitner, Esq., 28 Emek Ayalon Street, Modi'in 71770, Israel.

Deming E. Sherman

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ORDER

This matter came on before Lagueux, SJ, upon the Palestinian defendants' renewed motion for a stay and motion for leave to seek a protective order, and upon consideration, it is hereby ORDERED as follows:

1. That further proceedings in this action are stayed pending the determination of the Palestinian defendants' motion to dismiss and alternatively for certification of an interlocutory appeal.
2. That upon entry of an Order determining Palestinian defendants' pending motion, the time for the Palestinian defendants to comply, object, seek a protective order or make any other response under the Federal Rules of Civil Procedure to the discovery recently initiated by the plaintiffs on or about January 24, 2002 shall commence on the date of entry of the Order as if the discovery had been served and filed on the date of entry of the Order.

Entered as the Order of this Court this day of , 2002.

By order,

Clerk

ENTER:

Lagueux, SJ

Date: , 2002